

TROY LAW, PLLC

ATTORNEYS / COUNSELORS AT LAW

Tel: (718) 762-1324 troylaw@troypllc.com Fax: (718) 762-1342
41-25 Kissena Boulevard, Suite 119, Flushing, NY 11355

June 28, 2018

Via ECF

Hon. Stewart D. Aaron, U.S.M.J.
United States District Court
Southern District of New York
500 Pearl Street

Re: Plaintiff's Letter Request Leave to File Motion to Conditional Collective Class Certification
17-cv-00814-ALC-SDA Sarikaputar et al v. Veratip Corp. et al

Your Honor,

This office represents the plaintiffs in the above-captioned matter. We write respectfully to request Leave to file the attached Motion to Conditional Collective Class Certification in this matter., We propose the new briefing schedule as follows:

- Plaintiff's Opening brief due June 29;
- Defendants' opposition due July 26, 2018.
- Plaintiffs' reply due August 9, 2018.

On February 2, 2018, the Court ordered Plaintiffs' to file the Motion for Conditional Collective Class Certification by March 23, 2018. We could not meet the court imposed deadline because our office was experiencing a transition period. During that time, our Managing Associate had to return to Korea because of a medical emergency. The new attorney in charge was under the impression that Motion for Conditional Collective Class Certification was to be filed after the Discovery Proceedings. However, it was not until recently upon closer examination of the case, did we realize the court imposed deadlines and sent out the initial disclosures along with the document production, interrogatories, and proposed the deposition date to be held on June 25, 2018. And requested the Defendants to allow us to file Motion for Conditional Collective Class Certification. Unfortunately, despite Plaintiffs good faith effort to file the Motion, in a timely manner, Defendants failed to respond to our request.

For this reason, Plaintiff would like to request leave to file a Motion for Conditional Collective Class Certification. We understand that the deadline to file this motion has past, but in representing for the best interest of our clients and other employees working at the Defendants restaurant who may have also not been incorrectly compensated for their wage an hour we ask the Court to grant leave for us to file this motion. Defendants would not be prejudiced by the granting of this motion because no profound discovery proceeding has been taken place yet.

Granting this motion would also be more economical and efficient as it would combine all plaintiffs into one suit as opposed to multiple individual suits.

Till this moment, Plaintiff propounded Initial Disclosure, Document Production Request, Interrogatory and Notice of Deposition to Defendants on June 15, 2018. We did not receive any responses from the defendants. Defendant did not propound any discovery papers including Initial Disclosure to Plaintiffs yet.

For the reason set forth above, we therefore ask the Court to grant leave to file the attached motion to certify class in this matter.

We sincerely apologize for all the conveniences caused to this Court, and thank the Court for its attention and consideration in this matter.

Respectfully submitted,

TROY LAW, PLLC

/s/ John Troy

John Troy

Attorney for Plaintiffs

cc: via ECF all counsel
on record